

UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF NEW HAMPSHIRE

Charles Glenn

v.

Civil No. 05-cv-074-JD

United States of America

PROCEDURAL ORDER

The petitioner has requested a certificate of appealability on the issue of ineffective assistance of counsel based on his claim that trial counsel inadequately prepared the petitioner's alibi witnesses, failed to conduct any investigation to support the alibi defense, and failed to call the petitioner as a witness in his own defense notwithstanding the petitioner's clearly expressed desire to testify on his own behalf.

Considering the findings and rulings of this court in its order of September 22, 2005, and the meagerly supported request for a certificate, the court finds that the petitioner has failed to make a substantial showing of the denial of a constitutional right with respect to any of the issues he has raised. Therefore, his request for a certificate of appealability is denied.

SO ORDERED.


Joseph A. DiClerico, Jr.
United States District Judge

November 16, 2005
cc: Paul J. Haley, Esquire
Peter E. Papps, Esquire